



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,031	10/27/2000	Michael L Obradovich	40985/DMC/C685	6778
23363	7590	03/21/2006	EXAMINER	
CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068			TO, BAOQUOC N	
			ART UNIT	PAPER NUMBER

2162

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,031

Applicant(s)

OBRADOVICH, MICHAEL L

Examiner

Baoquoc N. To

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 22-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-2 and 22-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>09/15/2005</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. Claims 1-2 and 22 are amended and claims 3-21 are canceled in the amendment filed on 03/28/2005. Claims 1-2 and 22-29 are pending in this application.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 26 recites the limitation "the external server" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination the external server is the server recited in claim 1.

Claim 27 recites the limitation "the external server" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination the external server is the server recited in claim 1.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent,

Art Unit: 2162

except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2 and 26-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Knockeart et al. (US. Patent No. 6,680,694 B1).

Regarding on claim 1, Knockeart teaches a method, using a personal computer device having a GPS receiver, of populating a database comprising:

determining, by the personal computer device using its GPS receiver, a location at which the personal computer device becomes relatively immobile (the in-vehicle system also determines the vehicle's initial location or data related to the vehicle's initial location, and in some versions of the system the orientation of the vehicle (line 1503)"(col. 21, lines 32-35);

transmitting, by the personal computer device, information regarding the location at which the personal computer device becomes relatively immobile to a server (the in-vehicle system then sends the location data and the destination specification to the server system (lines 1505)" (col. 21, lines 51-52);

receiving, by the personal computer device, information regarding the location from the server (the server system sends the planned route, the spot map, and the GPS correction data to the in-vehicle system (lines 1563)" (col. 22, lines 42-44); and

requesting, by the personal computer device, that the server store the in a database associated with a user of the personal computer device (using the remote

Art Unit: 2162

configuration system, users of the navigation system can modify their record in user profiles 2232 that are stored at the server system. A user's profile is download by the server system to the in-vehicle system in that user's vehicle, or can alternatively be stored on the server system" (col. 42, lines 31-35).

Regarding on claim 2, Knockeart teaches a method of populating a database recited in claim 1 wherein determining a location at which the personal computer device becomes relatively immobile comprises:

Evaluating the position of the personal computer device using the GPS receiver (col. 21, lines 57-66);

Waiting a pre-selected period (col. 21, lines 57-66);

Reevaluating the position of the personal computer device using the GPS receiver (col. 6, lines 57-66); and

Determining if the position of the personal computer device before and after waiting the pre-selected time period is substantially the same (col. 21, lines 57-66)

Regarding on claim 26, Knockeart teaches the method cited in claim 1 wherein the information from the external server comprises an address of the location (location) (col. 8, lines 50-53).

Regarding on claim 27, Knockeart teaches the method recited in claim 1 wherein the information from the external server comprises the name of a business (restaurants) (col. 8, lines 50-53).

Regarding on claim 28, Knockeart teaches the method recited in claim 1 further comprising providing, by the personal computer device, an input screen to allow for input of information by the user (display) (col. 21, lines 25-30).

Regarding on claim 29, Knockeart teaches the method recited in claim 28 wherein the information provided to the remote computer system includes the information input by the user (destination) (col. 21, lines 25-30).

5. Claims 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al (US. Patent No. 5,754,938) in view of Presnell et al. (US. Patent No. 6,182,067 B1).

Regarding on claim 22, Herz teaches a method of accessing data in a database using a profile, the data comprising an indication of a geographic location and information regarding the geographic location, the method comprising:

Receiving a request for data from a database (col. 5, lines 23-26);

Forming search criteria for a search of the database, the search criteria including details of the request for data and details of a profile identified by the profile identification (col. 5, lines 23-26); and

Locating data fulfilling the search criteria (col. 5, lines 23-26).

Herz teaches the searching and filtering system, which utilizes multiples profiles interested by the users (col. 5, lines 23-26). Herz does not explicitly teach receiving a profile identification associated with the request for data from the database, the profile identification identifying a profile, the profile being associated with a user, the user having multiple profiles associated with user the multiple profiles including a profile including information about the user and a copied profile, the copied profile being a modified copy of another profile associated with the user, the copied profile being, when created, a copy of another profile associated with the user. On the other hand, Presnell teaches receiving a profile identification associated with the request for data from the database, the profile identification identifying a profile, the profile being associated with a user, the user having multiple profiles associated with user the multiple profiles including a profile including information about the user and a copied profile, the copied profile being a modified copy of another profile associated with the user, the copied profile being, when crated, a copy of another profile associated with the user (col. 18, lines 4-16). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Herz's system to include user profiles including copy of the modified profile as taught by Presnell in order to allow user to use the registered profile to retrieve data thereby reducing the time to create a search profile.

Regarding on claim 23, Herz teaches the user information includes a user age (age) (col. 4, lines 47-67).

Regarding on claim 24, Herz teaches the profile includes items identified as favorites of the user (target object) (col. 4, lines 47-67).

Regarding on claim 25, Herz does not explicitly teach receiving a request for modification of details of a profile, and modifying the profile in response to the request for modification of details of the profile. However, Presnell teaches receiving a request for modification of details of a profile, and modifying the profile in response to the request for modification of details of the profile (col. 18, lines 4-16). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Herz's system to include modifying the details of the profile as taught by Presnell in order to allow the system to retrieve the data based on the different parameters which changes in the profile.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2162

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Djupsjobacka et al. (US. Patent No. 6,954,735 B1) Patent date: 10/11/2005.

Mikkola et al. (US. Patent No. 6,529,143 B2) Patent date: 03/04/2003.

Drury et al. (US. Patent No. 6,707,421 B1) Patent date: 03/16/2004.

Pu et al. (US. Patent No. 6,292,743 B1) Patent date: 09/18/2001.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

Art Unit: 2162

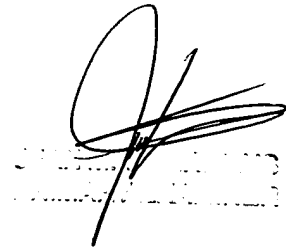
The fax numbers for the organization where this application or proceeding is assigned are as follow:

(571) –273-8300

[Official Communication]

BQ To

March 16th, 2006

A handwritten signature in black ink, consisting of a large loop and a long horizontal stroke, is written over a rectangular stamp. The stamp contains some faint, illegible text.